

MAY 22 2006

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## **FACSIMILE COVER SHEET**

**Deliver to: Van Roy, Tod Thomas, USPTO**

Art Group: 2828

Facsimile No.: (571) 273-8300

Date: May 22, 2006

**From:** Roger W. Blakely, Jr., Reg. No. 25,831

Our Docket No.: 55123P238

Number of pages 12 including this sheet.

Application No.: 10/642,774

Filing Date: 8/18/2003

Docket Due Date(s): 5/20/2006

**Enclosed are the following documents:**

- Amendment: \_\_\_\_\_ ( \_\_\_\_ pgs)
  - Appeal Brief ( \_\_\_\_ pgs)
  - Application: \_\_\_\_\_  
( \_\_\_\_ pgs) w/cover & abstract
  - Assignment & Cover Sheet ( \_\_\_\_ pgs)
  - Certificate of Facsimile \_\_\_\_\_
  - Continued Prosecution Application (CPA)
  - Declaration & POA ( \_\_\_\_ pgs)
  - Drawings: \_\_\_\_ sheets, \_\_\_\_ figures
  - Extension of Time: \_\_\_\_\_
  - Fee Transmittal (in duplicate)
  - IDS & PTO/SB/08 ( \_\_\_\_ pgs)
  - Other \_\_\_\_\_

- Issue Fee Transmittal
  - Notice of Appeal
  - Petition for: \_\_\_\_\_
  - Request for Continued Examination (RCE)
  - Reply Brief ( \_\_\_\_ pgs)
  - Request & Certification Under 35 USC 122(b)(2)(B)(i)
  - Request to Rescind Previous Nonpublication Request
  - Response to Notice of Missing Parts & Formalities Letter
  - Response to Written Opinion ( - ... pgs)
  - Terminal Disclaimer
  - Transmittal of Publication Fee Due
  - Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Jessica A Clark 5/22/2006  
Jessica A. Clark Date

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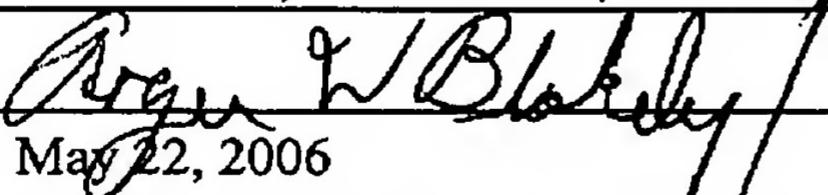
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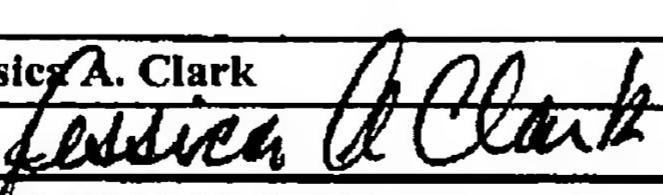
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MAY 22 2006

<b>TRANSMITTAL FORM</b>		Application No.	10/642,774
(to be used for all correspondence after initial filing)		Filing Date	August 18, 2003
		First Named Inventor	Adrian Maxim
		Art Unit	2828
		Examiner Name	Van Roy, Tod Thomas
Total Number of Pages in This Submission	12	Attorney Docket Number	55123P238

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Facsimile Cover Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> PTO/SB/08	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Basic Filing Fee		
<input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Roger W. Blakely, Jr., Reg. No. 25,831  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	May 22, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
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Typed or printed name	Jessica A. Clark		
Signature		Date	May 22, 2006

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wfr) 11/30/2005.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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PAGE 03/12

MAY 22 2006

## FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

200.00

**Complete if Known**

Application Number	10/642,774
Filing Date	August 18, 2003
First Named Inventor	Adrian Maxim
Examiner Name	Van Roy, Tod Thomas
Art Unit	2828
Attorney Docket No.	55123P238

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayment of fee(s)  Credit any overpayments
- under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

**FEE CALCULATION****1. EXTRA CLAIM FEES**

Total Claims	24	28*	=	0	X	50.00	=	\$0.00
Independent Claims	4	3*	=	1	X	200.00	=	\$200.00
Multiple Dependent								

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	380	2203	180	Multiple Dependent claim, if not paid
1204	780	2204	386	"Reissue Independent claims over original patent
1205	300	2205	160	"Reissue claims in excess of 20 and over original patent
SUBTOTAL (1)		(\$)		200.00

\*or number previously paid, if greater. For Reissues, see below

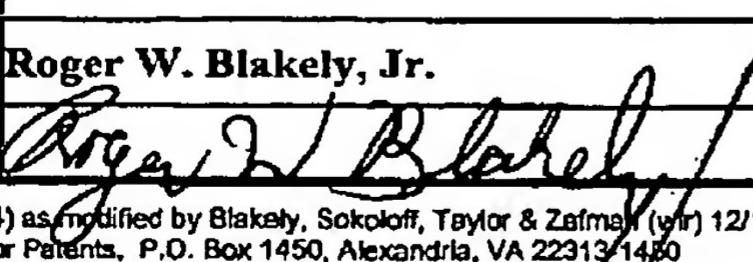
**2. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1062	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1261	120	2251	60	Extension for reply within first month	
1262	450	2252	225	Extension for reply within second month	
1263	1,020	2253	510	Extension for reply within third month	
1254	1,580	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	600	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,610	Petition to Institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	780	1809	385	Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	790	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)		SUBTOTAL (2)		(\$)	

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Roger W. Blakely, Jr.	Registration No. (Attorney/Agent)	25,831	Telephone	(714) 557-3800
Signature				Date	05/22/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (v1) 12/15/2004.  
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Appl. No. 10/642,774  
Amdt. Dated 05/22/2006  
Reply to Office Action of January 20, 2006

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No. : 10/642,774 Confirmation No. 3673  
Applicant : Adrian Maxim et al.  
Filed : 08/18/2003  
TC/A.U. : 2828  
Examiner : Van Roy, Tod Thomas  
  
Docket No. : 55123P238  
Customer No. : 8791

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

05/23/2006 STEUMEL1 00000040 022666 10642774

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**AMENDMENT**

Sir:

In response to the Office Action of January 20, 2006, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

Docket No: 55123P238

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RWB/jc